

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

REMARKS

Claims 1-3 and 5-7 remain in this application. Claims 1-7 are rejected. Claim 4 is cancelled. Claims 1, 3 and 5-7 are amended herein to clarify the invention, to broaden language as deemed appropriate and to address matters of form unrelated to substantive patentability issues.

Applicant herein traverses and respectfully requests reconsideration of the rejection of the claims cited in the above-referenced Office Action.

Claims 1-7 are rejected as indefinite under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter of the invention as a result of informalities stated in the Office Action, including grammatical and idiomatic errors. The claims are amended to remove or correct the informalities noted in the Office Action. In addition, claim 3 is amended, wherein the term "set" is replaced with the term "discriminated," the meaning of which, in the context of the claim, is made clear in the specification, for example at the paragraph bridging pages 4 and 5. Claims 6 and 7 are also amended to eliminate use of pronouns. Therefore, reconsideration of the rejection of claims 1-7 and their allowance are earnestly requested.

Claims 1-7 are rejected under 35 U.S.C. § 102(a) as being anticipated by Junkin (US 5,860,862). Applicant herein respectfully traverses these rejections.

For a rejection to be sustained under §102(b) each and every element of the claimed invention must be disclosed in the cited prior art reference. It is respectfully submitted that the cited reference fails to disclose at least the following features and elements of the present invention as noted herein.

The independent claims, as amended, now provide the feature wherein operation information is provided for identifying a situation of the selection and decision operation from the second game machine to the first game machine, and wherein, based upon the operation information, a situation of selection of the game element is displayed on a display device of the second game machine in response to the selection and decision operation and a situation of selection of the game element is displayed on a display device of the first game machine.

In accordance with such provisions, recited in structural and method-step forms for the respective claim types, when the selection and decision operation is implemented by one user, the selection situation, for example, a situation where a game element is selected by a user, can be displayed, not only on the display device of the of the second game machine of such user, but also at the same time on the display device of the game machine the other user uses. As such, the transaction can be simultaneously viewed by both players on their respective display devices.

Although Junkin and the present invention are both directed to interactive game systems allowing transactions between users (participants in Junkin), it is respectfully submitted that Junkin fails to disclose the above feature as claimed. It

is noted that this feature was originally present as recited in claim 4, and is now incorporated instead in the independent claims (claim 4 being cancelled to avoid redundancy of the subject matter of claim 1 from which it depends). Claim 4 was rejected in the Office Action based upon the disclosure at column 8, lines 54-67 of Junkin. However, applicant respectfully argues that such disclosure fails to provide the claimed feature, i.e., that selection and decision information is displayed, not only on the game machine of the user making such selection, but also on another user's game machine. The indicated disclosure of Junkin merely provides that information pertaining to the team roster accessed by a user can be displayed as a menu 52 on the display device 42 of the particular user accessing the information for his team. The passage, as well as the entirety of the disclosure, is silent regarding the display of the accessed information on another user's game machine.

Independent claims 1, 5, 6 and 7 thus particularly describe and distinctly claim elements not disclosed in the cited reference. Therefore, reconsideration of the rejections of claims 1, 5, 6 and 7, as well as claims 2 and 3 which depend from claim 1, and their allowance are respectfully requested.

Applicant respectfully requests a three (3) month extension of time for responding to the Office Action. Please charge the fee of \$930 for the extension of time to Deposit Account No. 10-1250.



F-6803

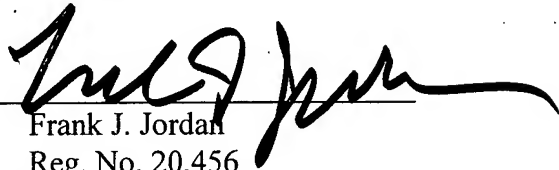
Ser. No. 09/750,604

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,

JORDAN AND HAMBURG LLP

By


Frank J. Jordan
Reg. No. 20,456
Attorney for Applicant

Jordan and Hamburg LLP
122 East 42nd Street
New York, New York 10168
(212) 986-2340

FJJ/LW/cj

RECEIVED
FEB 13 2003
TECHNOLOGY CENTER R3700



Ser. No. 09/750,604
RECEIVED
FEB 13 2003
TECHNOLOGY-CENTER R3700

APPENDIX I

AMENDED CLAIMS WITH AMENDMENTS INDICATED THEREIN BY BRACKETS AND UNDERLINING

1. (Amended) A game system [including a plurality of game machines] which allows users to play a common game [by utilizing data exchange via communication device,] in which at least one game element possessed by [a] each of the users [user of each game machine], among [a plurality of] game elements expected to be used in the common game, [being made] is capable of being transacted between the users in the common game, the game system comprising:

at least two game machines each possessed by each of the users and communicative with one another in a manner permitting data exchange therebetween, each of the at least two game machines comprising:

a possession information storage device for storing possession information for identifying a possession state of the game elements concerning [a user] each of the users of each of said at least two game [machine] machines;

a discrimination device for discriminating a first game machine representative of a side which delivers [the] a particular game element of the game [element] elements and a second game machine of a side which receives the particular game element, from [the plurality of] said at least two game machines;

a transaction information providing device for providing transaction information for discriminating game elements acquirable to a user of the second game machine from game elements possessed by a user of the first game machine, to the second game machine, based on the possession information corresponding to the user of the first game machine;

a presentation device for presenting the acquirable game elements to the user of the second game machine via a display device of the second game machine, based on the transaction information;

a transaction subject selection device for selecting at least one game element to be actually acquired by the user of the second game machine, from the acquirable game elements in response to a predetermined selection and decision operation on an input device of the second game machine; [and]

an information update device for updating the possession information so as to add the selected game element to game elements possessed by the user operating the second game machine, in response to the selection of the game element conducted by the transaction subject selection device;

an operation information providing device for providing operation information for identifying a situation of the selection and decision operation from the second game machine to the first game machine; and

a selection situation display device for displaying a situation of selection of the game element on a display device of the second game machine in response to the selection and decision operation, and displaying a situation of selection of the game element on a display device of the first game machine, based on the operation information.

3. (Amended) A game system according to claim 1, wherein a game for conducting a predetermined competition among the plurality of game machines can be executed, and the first game machine and the second game machine are [set] discriminated based on a result of the competition.

5. (Amended) A game data exchange control method applied to a game system, the game system including [a plurality of] game machines which [allows] allow users to play a common game by utilizing data exchange via a communication device, at least one game element possessed by a user of each game machine, among [a plurality of] game elements expected to be used in the game, being made capable of being transacted between users in the common game, the game data exchange control method comprising the steps of:

producing possession information for identifying a possession state of the game elements concerning a user of each game machine;

discriminating a first game machine of a side which delivers the game element and a second game machine of a side which receives the game element, from the plurality of game machines;

providing transaction information for discriminating game elements acquirable to a user of the second game machine from game elements possessed by a user of the first game machine, to the second game machine, based on the possession information corresponding to the user of the first game machine;

presenting the acquirable game elements to the user of the second game machine via a display device of the second game machine, based on the transaction information;

selecting at least one game element to be actually acquired by the user of the second game machine, from the acquirable game elements in response to a predetermined selection and decision operation on an input device of the second game machine; [and]

updating the possession information so as to add the selected game element to game elements possessed by the user operating the second game machine, in response to the selection of the game element;

providing operation information for identifying a situation of the selection and decision operation from the second game machine to the first game machine; and displaying a situation of selection of the game element on a display device of the second game machine in response to the selection and decision operation, and displaying a situation of selection of the game element on a display device of the first game machine, based on the operation information.

6. (Amended) A game machine [which allows] for allowing a user of [an own] the game machine to play a common game with another user of a different game machine by utilizing data exchange via a communication device, at least one game element possessed by each of users of the [own] game machine and the different game machine, among [a plurality of] game elements [expected to be] used in the game, being made capable of being transacted between the users in the common game, the [own] game machine comprising:

a possession information storage device for storing possession information identifying a possession state of the game elements concerning [a] the user of the [own] game machine;

a discrimination device for recognizing the [own] game machine as [either] being one of a first game machine of a side which delivers the game element [or] and a second game machine of a side which receives the game element, and recognizing the different machine as [either of them] being a remaining one of said first and second game machines;

a transaction information providing device, responsive to recognition of the [own] game machine as the first game machine, for providing transaction information for discriminating game elements acquirable to a user of the different game machine from game elements possessed by a user of the [own] game machine, to the different game machine, based on the possession information;

a presentation device, responsive to recognition of the [own] machine as the second game machine, for presenting the acquirable game elements to the user of the [own] game machine via a display device of the [own] game machine, based on the transaction information for discriminating game elements acquirable to the user of the [own] game machine provided by the different game machine;

a transaction subject selection device, responsive to a predetermined selection and decision operation conducted on an input device of the [own] game machine in response to the presentation of the game elements to the user of the [own] game machine, for selecting at least one game element to be actually acquired by the user of the [own] game machine, from the acquirable game elements, and providing selection result information identifying the selection result to the different game machine; [and]

an information update device, responsive to selection of the game element conducted by the user of the [own] game machine based on the transaction information provided by the different game machine, or responsive to provision of selection result information identifying the selection result of the game element from the different game machine in response to the provision of the transaction information to the different game machine, for updating the possession information, based on the selection result

an operation information providing device, responsive to recognition of the game machine as the second game machine, for providing operation information for identifying a situation of the selection and decision operation from the game machine to the different game machine; and

a selection situation display device responsive to recognition of the game machine as the second game machine, for displaying a situation of selection of the game element on a display device of the game machine in response to the selection and decision operation, and, responsive to recognition of the game machine as the

first game machine, for displaying a situation of selection of the game element on a display device of the game machine, based on the operation information.

7. (Amended) A computer readable storage medium having a program recorded thereon, the program allowing a user of [an own] a game machine to play a common game with another user of a different game machine by utilizing data exchange via a communication device, and the program making it possible to transact at least one game element possessed by each of users of the [own] game machine and the different game machine, among [a plurality of] game elements [expected to be] used in the game, between the users in the common game, the program being formed so as to make a computer included in the [own] game machine [function as] perform the steps of:

[possession information storage device for] storing possession information for identifying a possession state of the game elements concerning a user of the [own] game machine;

[discrimination device for] recognizing the [own] game machine as [either] being one of a first game machine of a side which delivers the game element [or] and a second game machine of a side which receives the game element, and recognizing the different machine as [either of them] a remaining one of said first and second game machines;

[transaction information providing device,]responsive to recognition of the [own] game machine as the first game machine,[for] providing transaction information for discriminating game elements acquirable to a user of the different game machine from game elements possessed by a user of the [own] game machine, to the different game machine, based on the possession information;

[presentation device,]responsive to recognition of the [own] game machine as the second game machine, [for] presenting the acquirable game elements to the

user of the [own] game machine via a display device of the [own] game machine, based on the transaction information for discriminating game elements acquirable to the user of the [own] game machine provided by the different game machine;

[transaction subject selection device,]responsive to a predetermined selection and decision operation conducted on an input device of the [own] game machine in response to the presentation of the game elements to the user of the [own] game machine, [for] selecting at least one game element to be actually acquired by the user of the [own] game machine, from the acquirable game elements, and providing selection result information identifying the selection result to the different game machine; [and]

[information update device,]responsive to one of selection of the game element conducted by the user of the [own] game machine based on the transaction information provided by the different game machine[, or responsive] and to provision of selection result information identifying the selection result of the game element from the different game machine in response to the provision of the transaction information to the different game machine, [for] updating the possession information, based on the selection result;

responsive to recognition of the game machine as the second game machine, providing operation information for identifying a situation of the selection and decision operation from the game machine to the different game machine; and

responsive to recognition of the game machine as the second game machine, displaying a situation of selection of the game element on a display device of the game machine in response to the selection and decision operation, and, responsive to recognition of the game machine as the first game machine, displaying a situation of selection of the game element on a display device of the game machine, based on the operation information..